

ADA Quiz – Answer Sheet

- (1) A public entity operates fixed route service between the hours of 6:00 AM and 8:30 PM. Reservations for complementary paratransit service must be taken during a comparable 14.5-hour period.

☐ True ☒ False

The entity shall make reservation service available during at least all normal business hours of the entity's administrative offices, as well as during times, comparable to normal business hours, on a day when the entity's offices are not open before a service day (49 CFR part 37.131(b)(1)).

- (2) A public entity operates a demand response service between the hours of 6:00 AM and 6:30 PM. Reservations for service are taken between 8:00 A.M. and 2:00 P.M. This practice is compliant with the ADA.

☒ True ☐ False

The entity that provides demand responsive services, when viewed in its entirety, shall be deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to specific service characteristics, including reservation capability (49 CFR part 37.105).

In applying the provisions this section, it is important to note that they are only points of comparison, not substantive criteria. For example, unlike the response time criterion of Sec. 37.131, this section does not require that a system provide any particular response time. All it says is that, in order for there to be equivalency, if the demand responsive system gets a van to a non-disabled person in 2 hours, or 8 hours, or a week and a half after a call for service, the system must get an accessible van to a person with a disability in 2 hours, or 8 hours, or a week and a half (Appendix D to 49 CFR part 37). This principle also applies to reservation capability.

- (3) A public entity providing complementary paratransit may negotiate pick-up times with eligible users, but only within a one-hour window.

☒ True ☐ False

The entity may negotiate pickup times with the individual, but the entity shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual's desired departure time (49 CFR part 37.131(b)(2)).

Note that many systems will not deny an individual a trip, even if they cannot negotiate trip pick-up time within the one-hour period before or after the requested time. Such trips must be counted as a trip denial.

- (4) A public entity may not take complementary paratransit reservations more than 14 day in advance of the requested trip day.

☐ True ☒ False

The entity may permit advance reservations to be made up to 14 days in advance of an ADA paratransit eligible individual's desired trips. When an entity proposes to change its reservations system, it shall comply with the public participation requirements equivalent to those of Sec. 37.131(b) and (c) (49 CFR part 37.131(b)(4)). In other words, as long as the entity engages in its outreach and public participation processes, it can set the advance reservation window any duration.

- (5) A paratransit system has the capacity for delivering 400 complementary paratransit trips per week. On Thursday, the system takes its 200th subscription reservation for the next week. The system manager instructs call-takers not to take additional subscription trips. Has the Manager acted in accordance with the ADA?

☐ Yes ☒ No

Subscription service may not absorb more than fifty percent of the number of trips available at a given time of day, unless there is non-subscription capacity (49 CFR part 37.133(b)). The Manager has not taken into account the time of day element of this requirement, nor has he assessed whether or not there is non-subscription capacity.

- (6) An individual who requires a Personal Care Attendant and uses your paratransit system is ADA eligible under Category II. When this individual can use your accessible fixed routes, you may charge the PCA the regular fare.

☒ True ☐ False

A personal care attendant shall not be charged for complementary paratransit service (49 CFR part 37.131(c)(3)). There is no reference to fare assessments for PCAs elsewhere in the regulation; however, industry best practices dictates that an entity not charge a PCA a fare, regardless of mode.

- (7) Your fixed route system has a \$1.00 base fare, a one-half fare for the elderly and disabled, and children under 12 ride for free. Your ADA plan contains a strict interpretation in assessing fares for complementary paratransit service, as your community needs to maximize farebox revenue. What is the maximum complementary paratransit fare?

- ☐ \$1.00
- ☐ \$1.50
- ☒ \$2.00
- ☐ \$2.50

The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system (49 CFR part 37.131(c)).

- (8) A visitor has presented proof of ADA eligibility from another public entity during a visit to your office on July 1, 2012. The visitor makes his first trip on your paratransit system on July 10, 2012. The visitor's eligibility will expire on:

- ☐ May 22, 2013
- ☐ May 31, 2013
- ☐ December 31, 2012
- ☒ July 9, 2013
- ☐ Other

A public entity shall make the service to a visitor required by this section available for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service during such 365-day period. In no case shall the public entity require a visitor to apply for or receive eligibility certification from the public entity before receiving the service required by this section (49 CFR part 37.127(e)).

- (9) Bob's application for complementary paratransit has been denied. He has filed a notice to appeal your decision. While awaiting the appeals process outcome, Bob must be granted presumptive eligibility on your system.

- ☐ True
- ☒ False

The entity is not required to provide paratransit service to the individual pending the determination on appeal. However, if the entity has not made a decision within 30 days of the completion of the appeal process, the entity shall provide paratransit service from that time until and unless a decision to deny the appeal is issued (49 CFR part 37.125(g)(3)).

- (10) Once complementary paratransit eligibility is determined for an individual, the public entity may not deny service for any reason, as complementary paratransit is a civil right under the law.

- ☐ True
- ☒ False

It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons (49 CFR part 37.5(h)).

- (11) You may deny service to an otherwise qualified person with a disability if that individual refuses to use the vehicle's passenger securement system.

☒ True ☐ False

The entity may require that an individual permit his or her wheelchair to be secured (49 CFR part 37.165(c)(3)).

- (12) Once granted, paratransit eligibility is valid for one year only and must be re-applied for each year.

☐ True ☒ False

The entity may require recertification of the eligibility of ADA paratransit eligible individuals at reasonable intervals (49 CFR part 37.125(f)).

- (13) All information regarding the transit system must be available in braille formats so that persons with vision impairments may obtain information on the transit system.

☐ True ☒ False

The entity shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications capacity available, through accessible formats and technology, to enable users to obtain information and schedule service (49 CFR part 37.167(f)).

Entities must make communications and information available, using accessible formats and technology (e.g., Braille, large print, TDDs) to obtain information about transportation services. Someone cannot adequately use the bus system if schedule and route information is not available in a form he or she can use (Appendix D to 49 CFR part 37).

- (14) It is permissible to make individuals make an advance reservation three days in advance of a county provided demand response transportation system.

☐ True ☒ False

Same principles that apply to Question 2 apply here.

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- (15) The ADA only applies to recipients and subrecipients under Federal Transit Administration (FTA) programs.

☐ True ☒ False

This part applies to the following entities, whether or not they receive Federal financial assistance from the Department of Transportation:

- (1) Any public entity that provides designated public transportation or intercity or commuter rail transportation;**
- (2) Any private entity that provides specified public transportation; and**
- (3) Any private entity that is not primarily engaged in the business of transporting people but operates a demand responsive or fixed route system (49 part 37.21(a)(1)-(3)).**